

REMARKS

Applicant appreciates the Examiner's thorough review of the present application, and respectfully requests reconsideration in light of the preceding amendments and the following remarks.

Claims 1-21 are pending in the application. The original claims have been revised to improve claim language. No new matter has been introduced through the foregoing amendments.

The Examiner's indication of allowable subject matter is noted with appreciation.

The Examiner's suggestion that Applicant file a sworn English translation of the priority document in order to perfect the priority claim in the instant application is also noted. Applicant respectfully submits that such sworn English translation is not yet required *at this stage*, especially in view of the concurrently filed Rule 132 Declaration disqualifying the prior art status of the primary reference, i.e., *Kawatani* (U.S. Patent Application Publication No. 2004/0093557). Applicant nevertheless reserves the right to file a sworn English translation of the priority document at a later time.

The 35 U.S.C. 101 rejection of claims 1, 13 and 29 is believed overcome in view of the above amendments. In particular, independent claims 1 and 29 have been amended to positively recite a step of (claim 1) or unit for (claim 29) outputting the cluster to which each document or pattern has been decided to belong. The outputted cluster(s) provide(s) a useful result in that the input document or patterns can be accurately categorized/classified into one or more clusters for subsequent processing and/or archiving and/or searching etc. An example of the above discussed

usefulness of the claimed invention has been provided in the specification, e.g., at Tables 1-3 with Table 1 showing the input un-clustered documents, and Tables 2-3 showing the input documents have been accurately categorized/classified into clusters. Claim 13 depends on claim 1 and provides a useful result for at least the reasons presented above with respect to claim 1.

Withdrawal of the 35 U.S.C. 101 rejection is now believed appropriate and respectfully requested.

The 35 U.S.C. 102(e) rejection relying on *Kawatani* is traversed, because the reference is not 35 U.S.C. 102(e) prior art to the present invention.

35 U.S.C. 102 Conditions for patentability; nov-eltly and loss of right to patent.

A person shall be entitled to a patent unless —

(e) the invention was described in — (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the inter-national application designated the United States and was published under Article 21(2) of such treaty in the English language;

In this case, the invention described in the *Kawatani* reference and the present invention are made by the same person, i.e., Dr. Takahiko Kawatani, as evident from the attached Rule 132 Declaration. Therefore, Applicant respectfully submits that the reference invention is not by “another” and hence, the reference does not qualify as 35 U.S.C. 102(e) prior art.¹

¹ See, also MPEP, section 706.02(b).

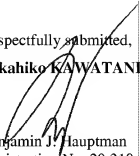
Withdrawal of the 35 U.S.C. 102(e) rejection is now believed appropriate and respectfully requested.

Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,
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